

STR ORDINANCE REVISIONS

BOARD OF COMMISSIONERS

FEBRUARY 16, 2022

BACKGROUND

	2021							2022			
	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR
DLCD 45-Day Notice for Moratorium	✓	✓									
Prepare Draft Moratorium Ordinance	✓	✓									
BOC Work Session / Town Hall – Moratorium Ordinance		✓									
14-Day Public Comment Period – Moratorium Ordinance		✓									
1 st Public Hearing – Moratorium Ordinance (August 11)			✓								
2 nd Public Hearing – Moratorium Ordinance (August 25)			✓								
Moratorium in Effect until April 28, 2022				✓	✓	✓	✓	✓			
Prepare Draft #1 - Combined Ordinance and Revisions	✓	✓	✓								
BOC Work Session / Town Hall – Draft #1				✓							
14-Day Written Public Comment Period – Draft #1				✓							
Prepare Draft #2 – Combined Ordinance and Revisions					✓						
BOC Work Session / Town Hall – Draft #2						✓					
14-Day Written Public Comment Period – Draft #2						✓					
Prepare Draft #3 – Combined Ordinance and Revisions							✓				
BOC Work Session / Town Hall – Draft #3 – January 26, 2022								✓			
14-Day Written Public Comment Period – Draft #3								✓			
1 st Public Hearing – Combined Ordinance (February 9, 2022)									X		
BOC Work Session – February 26, 2022									✓		
LAWDUC Revisions – Planning Commission Review (Tentative: March 8, 2022)											
LAWDUC and Code Revisions – 1 st Public Hearing BOC (Tentative: April 13, 2022)											
LAWDUC and Code Revisions – 2 nd Public Hearing BOC (Tentative: April 27, 2022)											

Board of Commissioner Work Sessions

February 24, 2021

April 20, 2021

June 1, 2021

August 3, 2021

January 26, 2022

Board of Commissioner Meetings August 25, 2021

Board adopts moratorium,
effective September 1, 2021

December 8, 2021

Board extends moratorium
through April 28, 2022

Public Town Hall Meetings

July 9, 2021

July 16, 2021

September 24, 2021

November, 2021

January 22, 2022

BASIS FOR RECOMMENDATIONS

- County role is to provide services that offer countywide benefit as opposed to those that only benefit a specific geographic area
- Regulate STR operation via the Clatsop County Code to ensure public health, safety, livability and efficient administration/enforcement
- Address legal liabilities/risk

ZONING / LAWDUC – STAFF RECOMMENDATION

- LAWDUC Amendments:

- Add STRs as a Type I use in all zones where a single-family dwelling is permitted. This means no public notice prior to issuing the permit and no public hearing.
- Repeal Sections 5.4900-5.4970, LAWDUC, which are the Arch Cape STR standards (the standards will be added to the Clatsop County Code)
- Change Section 4.0620, LAWDUC, to reflect that Arch Cape STR operating standards have been moved to the Clatsop County Code
- **NOTE:** STRs cannot be permitted in farm/forest zones because it is not permitted by ORS

LICENSING / OPERATING STANDARDS

STAFF RECOMMENDATION

▪ **Revise the Clatsop County Code to:**

- Add the Arch Cape STR operating standards to Title 5 by creating Section 5.24. No changes proposed to these operating standards
- Amend Section 5.12 to revise or add the following standards:
 - **“Good Neighbor” Flyer:** Require posting in all STRs. “Good Neighbor” flyer would address quiet hours; parking requirements; speed limits; garbage; pet control and safety; open burning/fires; fireworks; drones; trespassing; and other issues as needed
 - **Permit Transferability:** Prohibit transfer of STR permits. New owners would be required to apply for a new permit and have new septic and building inspections
 - **Length of Permit:** Change permit expiration from 5 years to 2 years; retain current \$550 fee.
 - **Occupancy:** Base occupancy on septic capacity or an average of 2 persons per sleeping area
 - **Complaint Process/Violations:** Create a tiered code compliance response based upon level of possible violation. Life/safety complaints would receive top priority response. If a violation is found to have occurred, penalties would be tiered based upon the level of the violation.
 - **Unsubstantiated Complaints:** Add language that would allow the County to fine persons who knowingly file a false complaint
 - **Local Agent / Representative:** Require 20-minute phone/text/email response time. Require 60-minute physical response time for life/safety complaints. Require 24-hour physical response time for all other complaints. Include language to acknowledge that response times may be affected by events outside the agent's control.
 - **“Sleeping Area” Definition:** Revise definition of “sleeping area” to reference Oregon Residential Specialty Code emergency opening requirements
 - **Emergency Information:** Require emergency info regarding power outages, wildfires and landslides, in addition to tsunamis

AMENDMENT PROCESS

CLATSOP COUNTY CODE

- Ordinance to revise Section 5.12, Clatsop County Code and to add Arch Cape operating standards to the County Code
- Requires two public hearings to amend (April 13 and 27)

LAWDUC

- Revisions to the LAWDUC must first be reviewed by the Planning Commission
- The Planning Commission makes a formal recommendation to the Board of Commissioners (March 8, 2022)
- Board can accept, reject or revise the Planning Commission recommendations
- Ordinance revising LAWDUC requires 2 public hearings (April 13 and 27)
- Moratorium expires April 28, 2022

DISCUSSION

FEBRUARY 16, 2022